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Controversy OPINION on the foreign pelagic trawlers fishing in Senegalese waters

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"Take the word in two circumstances: when it comes to things you know well, or when necessity requires."



The case of foreign vessels authorized to fish in Senegalese waters is again invited to the front of the news with the press conference held at the DPM August 5, 2011. The relationship was made by local newspapers should scare anyone who cares for the development of fisheries in Senegal. The supervisory authority has committed an act contrary to the provisions of the Code of fishing seems to be, at all costs, to make legal what the law allows. Instead of basing his argument on sections of code allowing foreign fishing vessels to conduct fishing in Senegalese waters under cover of a memorandum of understanding, he launched his agents in vain polemics.

REMINDER

A similar operation was carried out between 1991 and 1999. She awkwardly been justified to Article 17 of the Fisheries Code of the time - 87-27 Act of August 18, 1987 - misinterpreted as allowing the experimental fishery, while nowhere in the wording of article, these two words are.

Since March 2010, there is a "remake" of this case, at the time called "secret fishing agreements with justifications as light as those given in the previous operation. The arguments are:

- Foreign trawlers were allowed to fish because they target fish that Senegalese do not have the means to fish. If they are not catching these fish die, which is a loss to the treasury, which could draw additional resources estimated at 5 billion FCFA;

- Article 3 of the Law 98-32 of April 14, which has the following: "The fishery resources of waters under Senegalese jurisdiction is a national heritage. The right of fishing in the maritime waters under Senegalese jurisdiction belongs to the State may authorize the exercise by persons or entities Senegalese or foreign. Management of fisheries resources is a prerogative of the state. The state defines for this purpose, a policy to protect, conserve resources and to provide for their sustainable exploitation in order to preserve the marine ecosystem. The State will implement a precautionary

approach in the management of fisheries resources. " **With a singular interpretation of the first paragraph of that article, it says that it is in full sovereignty, the state has issued these authorizations.**

The interpretation of the above article is wrong on one hand and on the other hand, the inability of Senegalese fishermen to fish beyond 25 to 35 nautical miles sardinellas adults invoked irrelevance. The problem lies elsewhere, which is denounced, it is the first violation of the code of fishing, then this is the mess created in the stock of sardines is unique but divided into three stocks: juveniles young breeders and adults. The loss would be that of a single age class, in fact, a negative impact on the entire stock. Finally, it is the exploitation of adult sardines, which will add to the localized juvenile by the local fishing overfishing has taken, head on to ensure sustainable fisheries.

The offending vessels or freezer, almost always accompanied by cargo where they tranship their catches, which allows them to significantly increase their time fishing or factory ships that do all the processing on board: prepared frozen products, including fish meal and oil. The catch is directly transferred to the carriers that carry cargo to the destination markets. Their provisioning is also insured by sea cargo ship suppliers.

It is an insult to the intelligence of Senegalese and make them believe that boats: do not land their catches to work our land-based industries, do not ship marine Senegalese do not pay port charges, not not use the services Dockers port, not avitaillent to Dakar in food, fuels, lubricants, and finally, who do not do their repairs in Dakar, bring added value to our country. To extinction of the sun-as they say, no one can demonstrate that the operation that concerns us is consistent with the law. **And it is not by repeating one hundred thousand million times an untruth, we will make it a truth.**

It should also be noted that:

- The management of fisheries resources based on a simple rule of thumb: the fishing should not jeopardize the natural ability of fish stocks to renew. It should also enable a sustainable and optimal use of these resources. The sustainable exploitation of fisheries is based on a consistent set of management measures aimed at ensuring the preservation of sufficient breeding belonging to several age classes, so be mitigated the effect on stocks conditions . and also the adverse environmental impact of poor recruitment **Meeting the needs of this should not compromise the ability of future generations to meet their own needs ;**

- In the penultimate Protocol (1997-2001) signed between Senegal and the European Union, as part of their framework agreement fishing 15 June 1979, 22 pelagic freezer trawlers were allowed to fish in Senegalese waters . However, to avoid excessive fishing pressure on the resource, the precaution of not allowing them to fish more than six boats at a time, had been taken;

- Observers on pelagic trawlers very large tonnage unable to appreciate the harvested and stored in cold rooms boats on which they are embarked quantities. The room temperature storage, high capacity does not allow observers even properly equipped to remain long in a quasi-Siberian atmosphere. This is taking into account the uncertainties that Mauritania is now paid to EU vessels a fee by GT, which is safer than a quantitative assessment of catches;

- The exploitation of adults in fishery impacts on juvenile births and therefore poses a threat to artisanal fisheries. Furthermore, it is incorrect to argue that adult offending target trawlers are never found in coastal areas. If this were the case, would not ship incursions below 20 nm and seen from the beach, especially at night diel migrations helping. Could not be located, not in the catch of artisanal fisheries adult individuals .

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COMMENTS

1. The press conference on August 5, 2011 which was to be an opportunity to clarify the situation, if we refer to the relations of newspapers AS and Daily, was a missed opportunity and confusion has only moved more. It says it wants to be transparent without any provision MoUs signed, or to inform the audience of the amount of catches made which value should be paid directly to the Ministry of Maritime Economy. The same quantities of fishmeal and fish oil produced. Per tonne of fish oil is U.S. \$ 600 and to produce 1 kilo of flour, it takes about 5 pounds of sardines. Briefly, lashed out and accused more than gain a complete picture of the operation.
2. Reproach to private contractors, who made significant investments, fear of losing their main market, indicating a clear lack of lucidity. The attitude of the administration should have another. It would have been better advised, considering the risk of withdrawal of approval in Senegal as heard by the European mission late June, taking appropriate arrangements or the lead. Avoid the occurrence of punishment was more appropriate in the circumstances, that polemic arguing that the Senegalese authorities have not received any notification about it. However, the **fear was expressed by the Senegalese industry is not so unfounded that we want to believe.** Simply refer to the resolution of 12 May 2011 by which the European Parliament has ordered them to Commission of the European Communities, that the negotiations for the renewal of the fisheries agreement EU-Mauritania, which is about to expire July 31, 2012, include only on surplus stocks, given the fishing effort as well by Mauritanian boats by foreign vessels in operation. The position of the EU is following the signing of an agreement between Mauritania and a private Chinese company, which provides important fishing rights to vessels and craft boats from China, which will be under Mauritanian flag. This agreement would, perhaps not unrelated to the returns of artisanal nguet ndar in Mauritanian waters, under the pretext of "Mauritanization" embedded on canoes and boats Mauritanian staff. In doing so, Mauritania does not take account of the provisions of Article 62 of the UN Convention on the Law of the Sea provides that upon the sale of excess fishing capacity must " **take into account the need to minimize the economic dislocation in States whose nationals have habitually fished in the zone.** "
3. The distinction between authorization and fishing license to fish introduced into the debate does not exist. Since the first code (Law 76-89 of 2 July 1976, Article 15) and in the Code of 1987, Law 87-27 of 18 August, Article 17), it was stated that **"the fishing authorization is given in the form of a fishing license issued by the Minister responsible for sea fishing "**. In addition, the current code (Law 98-32) in its Article 22 provides that the exercise of fishing in Senegalese waters is subject to the possession of a fishing license. In the current code, a ship can not be awarded a license to fish in three cases: beat Senegalese flag, a national of a country or an organization has signed a fisheries agreement with

Senegal, be chartered by people of Senegalese nationality. Boats "Russian" authorized to fish in Senegal, have been under a memorandum of understanding not provided by any of the 166 articles of the Fisheries Code (Law and Order). **Do not talk, not Moreover, sovereignty, it can be exercised outside the law, in all circumstances, should be respected in the rule of law. A press release can have a higher value than a law.**

4. The problem of observers that Senegalese owners refuse, it seems, boarding had not, either, its place in the debate of the day, if we wanted to populism. Whoever had the honor to introduce observers in the regulatory framework of Senegal and with a director of Maritime Affairs, has trained the first cohort. Whoever set up the PSPS by welcoming Canadian technical assistants (project on which his two predecessors to DOPM worked hard) and proposed the first charge of this project became DSPS, is unfortunate, how ideas were transvestites.
5. The second minister of fisheries after the change has brought more treasure and more than 800 million in respect of the law , with the 2002-2006 protocol-Senegal fisheries agreement EU. The Senegal would have fallen very low, if a recipe for less than a billion was a performance. It was sold to Senegal by announcing medlar 5 billion FCFA.
6. Small coastal pelagics are 72% of Senegal's fisheries and food of poor Senegalese people. There are already over-exploitation of juveniles on the Petite Côte, there was no need to add that of adults. **Implement state of food insecurity in the Senegalese population is to be avoided .**



Photo: Aprapam

CALL

In the preamble of the constitution it is written: **"the sovereign people of Senegal affirmed its commitment to transparency in the conduct and management of public affairs and the principle of good governance."** Failure to comply with this provision as well as the the word, the opacity in which the operation was planned and executed, inopportune statements are causing the unhealthy climate that prevails in the Landernau fishing.

Fishing can not grow with an administration that does not dialogue with stakeholders. The Senegal deserves better, so it is high time to "move on", resuming dialogue, without a thought or resentment. Indeed, it is not a personal matter or an ego problem. What is at stake is the preservation of the economy and the country's interests.

Dr. Diouf Sogui
Vet

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